

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, DECEMBER 12, 2013

Presiding: Mayor Glenn W. Dalling
Meeting Convened at 6:30 p.m.
Prayer: Burch Drake
Pledge of Allegiance

Present: Mayor Dalling; Sharon L. Bell, Clerk; Wendy Walker, Treasurer; Councilmembers Bruce King, Lamont Merrill, Vaun Waddell and Burch Drake; Steve Hawkes of Planning & Zoning Commission; Joe Law, Standard Journal; Ted Hendricks of The Development Company; City Attorney Bill Forsberg; Clair Boyle; Isaac Lawrence; David Polatis; Arlynn Jacobson; Logan Yeaman; Ryan Robinson; Kelton Larsen; Ron Arnold; and LaRena Waddell.

The mayor asked if there were any corrections to the minutes of the regular meeting held on November 14, 2013. Each councilmember had a copy of said minutes prior to the meeting. It was moved by Councilmember Merrill and seconded by Councilmember Drake to accept said minutes; motion carried.

Wendy presented the November reconciliation reports for the General Fund. It was moved by Councilmember Waddell and seconded by Councilmember Merrill to accept the November reconciliation reports for the General Fund; motion carried. Wendy presented the November reconciliation reports for the Utility Fund. It was moved by Councilmember Waddell and seconded by Councilmember Drake to accept the November reconciliation reports for the Utility Fund; motion carried.

Wendy presented the current bills in the amount of \$22,490.06. It was moved by Councilmember Waddell and seconded by Councilmember King to pay the current bills, together with all regular December bills that have not yet been received; motion carried.

PLANNING & ZONING REPORT: P&Z Chairman Steve Hawkes addressed the council.

Report on public hearing on zone change for Jared Neeley (Kelton Larsen) property: Steve reported that P&Z held a public hearing on December 5, 2013. He found out from the city attorney yesterday that the public hearing was to be held by Sugar City's Planning and Zoning Commission, not jointly with the Madison County Planning and Zoning Commission. A transcribable verbatim record of the proceeding was not obtained as required in Idaho Code 67-6536, so the public hearing is invalid. Another hearing will be required to accommodate the request.

Two commissioners' terms expiring: Steve reported that the terms of David Ogden and Randall Miller expire December 31, 2013. The mayor said he would visit with them and have a recommendation for the next council meeting.

BUSINESS PARK: Ted Hendricks of The Development Company addressed the council. He understands that a trucking company proposes a development on the north side of the Business

Park and that this company would like to use the park's main thoroughfare, which is Sugar Avenue, for their semi trucks to access the development. He said that Sugar Avenue is for ingress and egress of residents of the Business Park and, as needed, to facilitate park activities. When the park fills with tenants, there will be a lot of traffic on that street, and the park will need two accesses. The Development Company does not want to stop development and hopes there will be another route for truck traffic. It would be disruptive to the Business Park to allow the proposed truck traffic on Sugar Avenue, Ted said. The mayor thanked Mr. Hendricks for coming.

INTERLOCAL AGREEMENT: Councilmember King wasn't prepared to discuss the interlocal agreement given recent developments related to it.

FORMAL REQUEST FOR FULL INTERCHANGE: Councilmember King reported that if Sugar City is still interested, the mayor could request a full instead of a half interchange on U.S. Highway 20 in town by submitting to District 6 Engineer Blake Rindlisbacher of the Idaho Transportation Department in Rigby a formal request for the upgrade in writing.

SHERIFF'S SALE OF TOSCANO PROPERTY: The city received notification that there will be a sheriff's sale on December 23, 2013, at 10 a.m. on parcels C, E and F of the Toscano property.

JANET HARRIS'S REQUEST FOR PAVING: Councilmember King reported that Mrs. Harris and her son Tyson have requested that the city pave the stretch of road between her house and First South. The mayor said that Idaho Avenue stops at First South and that this stretch is a private driveway.

UPDATE FOR FAÇADE FOR CITY HALL: Councilmember Merrill accepted an assignment from the mayor to supervise the construction of the approved façade for city hall. The façade that was drawn up by a company in Boise was accepted. Lamont talked with builders interested in doing the labor, and he will act as general contractor to oversee it. Work will be started in the spring. Lamont requested council approval.

MOTION: It was moved by Councilmember Waddell and seconded by Councilmember Drake to appoint Lamont Merrill to act as general contractor for the city hall façade project; motion carried.

GRAIN SILO: Councilmember Drake reported that the Tree and Beautification Committee has found out that the grain silo needs some immediate attention because of the probability of different diseases being spread by mice and birds there. Estimated cost for cleanup is \$63,784.32. In order to maintain the silo in a cleaned-up condition, the city would have to replace its doors and windows. It would be a challenge for the city to maintain the silo in a cleaned-up condition. Burch said he doesn't know how much it would cost to demolish the silo. A decision on what to do with the grain silo requires additional study and discussion.

DEPARTMENT REPORTS:

COUNCILMEMBER KING:

Maintenance yard for Idaho Transportation Department: Bruce reported that the long-term plan of the Idaho Transportation Department (ITD) is to close the 2000 East access

to U.S. Highway 20. In preparation for that closing, ITD wants to relocate its maintenance yard from the current location of the yard northeast of the intersection of 2000 East and U.S. 20 to a parcel somewhere in Sugar City. The agency is looking at three potential sites in town and needs at least eight acres.

Audio/visual equipment: Bruce reported that we need to get the new projection equipment in the council chambers adjusted or repaired, and he was given permission to contact Gary Abbott and get the malfunction problem corrected.

COUNCILMEMBER MERRILL: No report.

COUNCILMEMBER WADDELL:

AIC training: Vaun reported that the AIC training he attended focused on city government. He received a CD and training materials and said it was very worthwhile.

COUNCILMEMBER DRAKE:

Tree lighting ceremony: Burch reported that the tree lighting ceremony went well. There were 200 or more parents and at least 100 children who participated. It was very successful and everyone had a good time.

PUBLIC WORKS DIRECTOR ZANE BALER: Zane addressed the council. He said he was previously given \$100 per month for health insurance. The city made the decision to take away the \$100 a month for insurance and replace it with \$1 an hour raise. The raise equals \$176 a month. However, with the tax increase, he has lost money. (See minutes of November 14, 2013, page 4.) He requested use of the city pickup to travel back and forth to work. The mayor said the issue would be discussed in an executive session.

EXECUTIVE SESSION:

8:20 p.m. It was moved by Councilmember Waddell and seconded by Councilmember Merrill pursuant to Idaho Code 67-2345 (1)(a), to discuss a personnel issue and Idaho Code 67-2345 1(f) to discuss potential litigation that we move into executive session. The mayor called for a roll call vote:

Those voting aye: Councilmembers King, Merrill, Waddell and Drake
Those voting nay: None

Thereupon the mayor declared the motion passed.

8:55 p.m. Attorney Forsberg arrived and the executive session continued.

10:40 p.m. The executive session ended and the regular council meeting reconvened.

No action was taken on the matters discussed in the executive session.

BRUCE KING RECUSAL: Bruce recused himself from discussions regarding a proposal by the Idaho Transportation Department to obtain property in the city and to seek a special use permit to construct a maintenance yard on the property – as follows: “Given Section 9-1-4-A-3 of the Sugar City Code, which states: ‘A member...of the city council...shall not participate in any proceeding or action when...his employer...has an economic interest in the procedure or action,’ I recuse myself from any participation in deliberations and decision-making regarding

the Idaho Transportation Department's interest in establishing a maintenance yard in Sugar City or in its impact area."

MAYOR'S BUSINESS:

Zane Baler's request for additional use of the city pickup: It was the consensus of the City Council to deny Public Works Director Zane Baler's request to take the city pickup to and from work. The council asked that the mayor notify Zane of the decision. Each councilmember felt that Zane should continue using the truck only while at work.

Tri-city Wastewater Agreement: Copies of the latest iteration of the Tri-city Wastewater Agreement were given to the council to review for the next meeting.

Possible cancellation of December 26 city council meeting:

MOTION: It was moved by Councilmember Waddell and seconded by Councilmember Drake to cancel the 26th of December meeting because it is close to a holiday; motion carried.

Christmas dinner/activity: The Christmas dinner/activity is scheduled for Thursday, December 19, 2013, at 6:00 p.m.

Ordinance limiting truck traffic: The mayor asked Attorney Forsberg to prepare an ordinance limiting the use of Sugar Avenue for truck traffic.

Meeting adjourned at 10:50 p.m.

Signed: _____
Glenn W. Dalling, Mayor

Attested: _____
Sharon L. Bell, Clerk